

Decision **DRAFT DECISION OF ALJ SIMON** (Mailed 10/27/2003)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Saul Martinez,

Complainant,

vs.

Southern California Edison Company,

Defendant.

Case 02-06-037
(Filed June 19, 2002)

**OPINION REOPENING PROCEEDING AND ORDERING
DISTRIBUTION OF FUNDS ON DEPOSIT**

Summary

We reopen this proceeding on our own motion to order the distribution to the complainant of the sum of \$19,105.81 deposited with the Commission pursuant to Pub. Util. Code § 1702.2.¹

Discussion

We reopen this proceeding pursuant to our authority under § 1708 in order to provide for the distribution of the proper sum of money to the complainant pursuant to § 1702.2. In Decision 02-12-031, we dismissed this complaint upon

¹ Unless otherwise indicated, all subsequent citations to sections refer to the Public Utilities Code.

the written request of the complainant. Based upon the written request of both complainant and defendant, we ordered the sum of \$19,726.64, represented to be on deposit with the Commission pursuant to § 1702.2, to be distributed to the complainant. In fact, the complainant had deposited the sum of \$19,105.81 with the Commission, which sum has been distributed to the complainant.

Comments on Draft Decision

The draft decision of the Administrative Law Judge in this matter was mailed to the parties in accordance with Section 311(g)(1) of the Public Utilities Code and Rule 77.7 of the Rules of Practice and Procedure. No comments were filed.

Assignment of Proceeding

Geoffrey F. Brown is the Assigned Commissioner and Anne E. Simon is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The complainant, Saul Martinez, deposited \$19,105.81 with the Commission in connection with this complaint.
2. The sum of \$19,105.81 has been distributed to the complainant by the Commission.

Conclusions of Law

1. This proceeding should be reopened.
2. The final order in this proceeding should reflect that the sum of \$19,105.81 constitutes the money deposited with the Commission by the complainant.
3. In order to reflect the correct sum to be distributed, this order should be effective immediately.

O R D E R

IT IS ORDERED that:

1. The Commission's records and orders reflect that the sum of \$19,105.81 was deposited with the Commission by the complainant pursuant to Pub. Util. Code § 1702.2, and has been distributed to the complainant.

2. Case 02-06-037 is closed.

This order is effective today.

Dated _____, at San Francisco, California.